

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION**

#### **JOINT APPROPS SUBCOM ON JUDICIAL BRANCH, LAW ENFORCEMENT, AND JUSTICE**

**Call to Order:** Chair Steve Gibson, on January 11, 2011 at 8:00 AM, in Room 317A  
Capitol

#### **ROLL CALL**

**Members Present:**

Rep. Steve Gibson, Chair (R)  
Sen. Ryan Zinke, Vice Chair (R)  
Rep. Randy Brodehl (R)  
Sen. Steven Gallus (D)  
Rep. Cynthia Hiner (D)  
Sen. Edward Walker (R)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Stephanie Fletcher, Committee Secretary  
Pat Gervais, Legislative Branch  
Brent Doig, OBPP

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Executive Action on budget starting point, Hearing - Office of Public Defender , 01/07/2011

00:00:35 Chairman Steve Gibson  
00:00:38 Sen. Ryan Zinke  
00:01:28 Pat Gervais, Legislative Fiscal Division (LFD)  
[EXHIBIT\(jch08a01\)](#)  
[EXHIBIT\(jch08a02\)](#)  
[EXHIBIT\(jch08a03\)](#)  
00:03:32 Chairman Gibson

**Questions from Committee Members and Responses:**

00:03:40 Rep. Cynthia Hiner  
00:03:55 Pat Gervais, LFD  
00:04:57 Sen. Zinke  
00:05:08 Rep. Hiner  
00:05:22 Sen. Zinke

**EXECUTIVE ACTION ON BUDGET BASE**

00:05:30 **Motion: "SEN. ZINKE MOVED THAT FOR ALL AGENCY BUDGETS IN THE SECTION D, THE ADJUSTED BASE TO INCLUDE PERSONAL SERVICES ADJUSTMENTS, STATEWIDE FIXED COSTS, AND INFLATION; ANY DECISION PACKAGES NECESSARY TO IMPLEMENT THE TWO PERCENT REDUCTIONS APPROVED IN THE 2009 SESSION IN AN ONGOING MANNER; THE FIVE PERCENT REDUCTION PLANS PROVIDED IN 17-7-111 (3)(F), MCA, AND VACANCY SAVINGS AS PROPOSED IN THE EXECUTIVE BUDGET BE ADOPTED AS THE STARTING POINT FOR SUBCOMMITTEE ACTIONS."**

00:06:10 Chairman Gibson

**Public Comment:**

00:07:02 J.C. Weingartner  
00:07:52 Chairman Gibson  
00:07:56 Scott Crichton, Executive Director American Civil Liberties Union (ACLU)  
00:11:15 Chairman Gibson  
00:11:21 Mike Thatcher, Executive Director Community Corrections Agency (CCA)  
00:16:04 Chairman Gibson  
00:16:12 Mike Thatcher, CCA  
00:18:43 Chairman Gibson  
00:18:49 Pat Kiem, Prerelease Center in Billings  
00:21:23 Chairman Gibson  
00:21:29 Chuck Grant  
00:27:14 Chairman Gibson  
00:27:22 Sen. Zinke  
00:27:27 Chairman Gibson  
00:27:38 Pat Gervais  
00:28:28 Chairman Gibson

00:28:30 **Vote:** Starting point for subcommittee deliberations. Motion carried 4-2 by roll call vote with Sen. Gallus and Rep. Hiner voting no.

00:32:45 Pat Gervais  
00:45:11 Chairman Gibson

**Informational Testimony:**

00:45:47 Fritz Gillespie, Chairman Montana Public Defender Commission (MPDC)

**EXHIBIT(jch08a04)**

00:48:16 Sen. Gallus  
00:49:55 Fritz Gillespie  
01:08:30 Randi Hood, Chief Public Defender  
01:09:00 Chairman Gibson  
01:09:12 Randi Hood

**EXHIBIT(jch08a05)**

01:50:36 Chairman Gibson  
01:50:42 Randi Hood  
01:55:33 Chairman Gibson  
01:55:37 Joslyn Hunt, Chief Appellate Defender  
02:03:44 Chairman Gibson

**Questions from Committee Members and Responses:**

02:18:50 Chairman Gibson  
02:19:20 Rep. Hiner  
02:20:00 Randi Hood  
02:20:28 Rep. Hiner  
02:20:45 Randi Hood  
02:21:58 Rep. Hiner  
02:22:30 Randi Hood  
02:23:21 Rep. Hiner  
02:23:36 Pat Gervais  
02:24:05 Rep. Hiner  
02:24:14 Randi Hood  
02:25:25 Rep. Hiner  
02:25:34 Randi Hood  
00:26:57 Chairman Gibson  
02:27:04 Rep. Randy Brodehl  
02:27:25 Randi Hood  
02:28:26 Rep. Brodehl  
02:28:48 Joslyn Hunt  
02:30:31 Chairman Gibson  
02:30:43 Sen. Zinke  
02:31:18 Randi Hood  
02:33:38 Sen. Zinke  
02:35:06 Randi Hood  
02:36:37 Sen. Zinke  
02:37:50 Randi Hood  
02:38:45 Sen. Zinke

02:39:01 Randi Hood  
02:39:30 Chairman Gibson  
02:39:56 Randi Hood  
02:39:59 Pat Gervais  
02:40:12 Joslyn Hunt  
02:41:01 Sen. Zinke  
02:41:09 Chairman Gibson  
02:41:19 Randi Hood  
02:42:32 Chairman Gibson  
02:42:39 Randi Hood  
02:42:54 Chairman Gibson  
02:43:37 Randi Hood,  
02:44:11 Chairman Gibson  
02:44:32 Randi Hood  
02:46:10 Chairman Gibson  
02:46:47 Randi Hood  
02:47:20 Chairman Gibson  
02:48:29 Randi Hood  
02:49:21 Chairman Gibson  
02:49:37 Randi Hood  
02:50:19 Chairman Gibson

**Public Comment:**

02:51:07 Sen. Gallus  
02:51:22 Chairman Gibson  
02:51:34 Tim Twardoski, Executive Director, American Federation of State County and  
Municipal Employees, AFSCME  
02:55:19 Chairman Gibson  
02:55:40 Courtney Nolland

**EXHIBIT(jch08a06)**

02:59:37 Chairman Gibson  
02:59:43 Walter Hennessy  
03:01:54 Chairman Gibson  
03:02:01 Brian Smith  
03:04:17 Chairman Gibson  
03:04:22 Phillip Defleece

**EXHIBIT(jch08a07)**

03:13:29 Chairman Gibson  
03:13:45 Chris Abbott  
03:17:42 Chairman Gibson  
03:18:24 Annie Peterson  
03:20:19 Chairman Gibson  
03:20:25 Eileen Larkin  
03:24:11 Chairman Gibson  
03:24:20 Raymond Kuntz, MPDC  
03:28:05 Chairman Gibson  
03:28:53 Margaret Novak, MPDC  
03:30:56 Chairman Gibson  
03:31:01 Scott Crichton  
03:36:40 Chairman Gibson

03:36:47	Mark Mackan, Attorney
03:38:25	Chairman Gibson
03:38:37	Randi Hood
03:39:13	Scott Crichton
03:40:29	Chairman Gibson
03:40:53	Randi Hood
03:40:58	Chairman Gibson
03:41:30	Rep. Hiner

**ADJOURNMENT**

03:41:43                      Chairman Gibson adjourned the meeting.

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Stephanie Fletcher, Secretary

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Additional Documents:

**EXHIBIT**([jch08aad.pdf](#))